

1742

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Ming Wu			Docket No. MEM-0005-P
Serial No. 10/755,085	Filing Date 01/08/2004	Examiner NYA	Group Art Unit 1742
Invention: METHOD FOR MANUFACTURING SUPERELASTIC B TITANIUM ARTICLES AND THE ARTICLES DERIVED THEREFROM			
<div style="text-align: right;">RECEIVED CENTRAL FAX CENTER MAY 12 2004 OFFICIAL</div> <p>I hereby certify that this _____ (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (703) 872-9306)</p> <p>on <u>May 12, 2004</u> (Date)</p> <div style="text-align: right;"><p>Barbara Davidson (Typed or Printed Name of Person Signing Certificate)</p><p><i>Barbara Davidson</i> (Signature)</p></div>			
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ming Wu)
Serial No.: 10/755,085) Group Art Unit: 1742
Filed: 01/08/2004) Before the Examiner: NYA
For: METHOD FOR MANUFACTURING)
SUPERELASTIC β TITANIUM)
ARTICLES AND THE ARTICLES)
DERIVED THEREFROM)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.56, 1.97 AND 1.98

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose, applicants herein apprise the Patent Office of prior art in a parent U.S. application from which this application obtains the benefit of an earlier filing date under 35 U.S.C. § 120. The Serial Number of the parent application is USSN 10/609,004 filed June 27, 2003 entitled METHOD FOR MANUFACTURING SUPERELASTIC β TITANIUM ARTICLES AND THE ARTICLES DERIVED THEREFROM.

The publications cited therein are listed on attached Form PTO-1449.

In accordance with 37 CFR § 1.98 (d) copies of the listed publications are not required.

Consideration of this Information Disclosure Statement is respectfully requested, since the Examiner may consider the information provided herein material to the patentability of the subject application as defined in 37 CFR § 1.56.

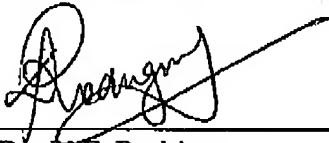
Since this Information Disclosure Statement is being filed within three months of the filing date of the subject application, no fee or certification under 37 CFR § 1.97 (e) is required.

However, in the event the Commissioner of Patents deems that any fee is required under 37 CFR §§ 1.16 and 1.17 in connection with this application, applicant's attorneys authorize that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By: _____


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Telephone: (860) 286-2929

Docket Number MEM-0005-P

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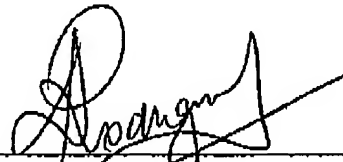
Sir:

In compliance with the duty to disclose, submitted herewith is form PTO-A820 (PTO-1449) listing publication(s) of which those designated by 37 CFR § 1.56 are aware. Copies of the non-United States patents or published applications are enclosed.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, or an admission that the information cited is, or is considered to be, material to patentability.

Respectfully submitted,

CANTOR COLBURN LLP

By: 
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Telephone: (860) 286-2929

PTO-1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANT LIST OF ITEMS (Use several sheets if necessary)			Attorney's Docket Number MEM-0005-P		Serial Number 10/755,085	
			Name of Applicant Ming Wu			
			Filing Date 01/08/2004		Group 1742	
FOREIGN PATENT DOCUMENTS						
Examiner Initial	Document Number	Date	COUNTRY	Class	Subclass	TRANSLATION YES NO
	0 416 929 B1	30.11.94	European			No
	0 601 804 A1	15.06.94	European			No
	EP 0 675 971 B1	11.10.95	European			No
	EP 0 683 242 B1	22.11.95	European			No
	EP 0 716 155 B1	12.06.96	European			No
	EP 0 852 164 B1	08.07.98	European			No
	EP 1 046 722 A1	25.10.00	European			No
	EP 1 083 243 A2	14.03.01	European			No
	EP 1 002 882 B1	11.12.02	European			No
	WO 98/43550	08.10.98	International			No
	WO 99/45161	10.09.99	International			No
	WO 99/58184	18.11.99	International			No
	WO 00/68448	16.11.00	International			No
	WO 02/094334 A1	28.11.02	International			No
OTHER INFORMATION (including author, title, date, pertinent)						
	Proceedings of the MRS International Meeting on Advanced Materials, Volume 9, May 31-June 3, 1998, Sunshine City, Ikebukuro, Tokyo, Japan, "Linear and Non-Linear Superelasticity in NiTi", G.R. Zadno et al.					
	"Shape Memory Effect in Ti-Mo-Al Alloys", Hisaoki Sasano et al., pgs 1667-1674, 1984					
	"The Martensite Transformation Temperature in Titanium Binary Alloys", Pol Duwez, pgs 934-940, March 23-27, 1953					
	Acta metal. Vol. 30, 1982, "Formation and Reversion of Stress Induced Martensite in Ti-10V-2Fe-3Al", T.W. Duerig et al., 13 May 1982, pgs 2161-2172					
	American Journal of Orthodontics, St. Louis, Vol. 77, No. 2, February, 1980 "Beta titanium: A new orthodontic alloy", Charles J. Burstone et al., pgs 121-132					
EXAMINER				DATE CONSIDERED		
* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.						

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U.S. PATENT DOCUMENTS						
Examiner Initial	Document Number	Date	NAME	Class	Subclass	Filing Date If Appropriate
	4,037,324	07/26/77	Andreassen	32	14 A	05/21/73
	4,040,129	08/09/77	Steinemann et al.	3	1.9	02/24/75
	4,197,643	04/15/80	Burstone et al.	433	20	03/14/78
	4,503,569	03/12/85	Dotter	3	1.4	03/03/83
	4,543,132	09/24/85	Berczik et al.	148	11.5 F	10/31/83
	4,665,906	05/19/87	Jervis	128	92 YN	05/21/86
	4,765,335	08/23/88	Schmidt et al.	128	326	05/06/87
	4,772,112	09/20/88	Zider et al.	351	41	06/19/86
	4,781,450	11/01/88	Danloup et al.	351	114	02/10/87
	4,799,975	01/24/89	Ouchi et al.	148	12.7 B	09/22/87
	4,807,798	02/28/89	Eylon et al.	228	190	11/26/86
	4,809,903	03/07/89	Eylon et al.	228	194	11/26/86
	4,820,360	04/11/89	Eylon et al.	148	133	12/04/87
	4,842,653	06/27/89	Wirth et al.	148	12.7 B	06/30/87
	4,857,269	08/15/89	Wang et al.	420	417	09/09/88
	4,869,585	09/26/89	Romanet	351	153	04/10/87
	4,896,955	01/30/90	Zider et al.	351	41	12/05/88
	4,943,412	07/24/90	Bania et al.	420	420	05/01/89
	4,951,735	08/28/90	Berczik	164	138	01/02/86
	5,041,262	08/20/91	Gigliotti, Jr.	420	419	10/06/89
OTHER INFORMATION (including author, date, title, pertinent)						
	"Optimal welding of beta titanium orthodontic wires", Kenneth R. Nelson, DDS MS, et al. September, 1987, pgs 213-219					
	Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies, Asilomar Conference Center, Pacific Grove, CA, USA 1997 "A Study of Pseudoelastic Beta Titanium for Orthodontic Application", C. Lei et al., pgs 503-508					
	American Journal of Orthodontics, Vol. 80, No. 1, July, 1981, "Variable-modulus orthodontics" Charles J. Burstone, DDS, MS, pgs 1-16					
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U.S. PATENT DOCUMENTS							
Examiner Initial	Document Number	Date	NAME	Class	Subclass	Filing Date If Appropriate	
	5,067,957	11/26/91	Jervis	606	108	09/27/88	
	5,147,370	09/15/92	McNamara et al.	606	108	06/12/91	
	5,160,554	11/03/92	Bania et al.	148	407	08/27/91	
	5,169,597	12/08/92	Davidson et al.	428	613	01/28/91	
	5,173,134	12/22/92	Chakrabarti et al.	148	671	12/03/90	
	5,176,762	01/05/93	Berczik	148	407	12/23/86	
	5,200,133	04/06/93	Dieul et al.	264	257	07/23/90	
	5,205,984	04/27/93	Rowe	420	420	10/21/91	
	5,219,521	06/15/93	Adams et al.	420	418	07/29/91	
	5,229,562	07/20/93	Burnett et al.	219	10.41	04/05/91	
	5,232,361	08/03/93	Sachdeva et al.	433	8	04/06/92	
	5,258,022	11/02/93	Davidson	623	2	02/04/92	
OTHER INFORMATION (including author, title, date, pertinent)							
Titanium '95: Science and Technology, Otto Fuchs Metallwerke, Meinerzhagen, Germany, "Beta Titanium Alloys", G. Terlinde et al., pgs 2177-2194, 1995							
"Beta Titanium Alloys and Their Role in the Titanium Industry", Henderson, NY, Keynote Lecture, Paul J. Bania, TMS, Warrendale, pgs 3-14, 1993							
Dept. of Metallurgy and Materials Science, Imperial College of Science and Technology, London, U.K., "Martensite Formation and Decomposition in Alloys of Titanium containing B-Stabilizing Elements", H.M. Flower et al., Plenum Press, pgs 1703-1715, 1982							
Materials Science and Engineering, A132 (1991), "Atomic ordering in Ti-V-Al shape memory alloys", J. S. Lee Pak, et al., pgs 237-244, June 4, 1990							
American Society for Metals and The Metallurgical Society of AIME, Vol. 11A, December 1980-1987, "Phase Transformations and Tensile Properties of Ti-10V-2Fe-3Al, T.W. Duerig et al., 12 pgs, August 2, 1979							
Shape Memory Materials, "Mechanism of shape memory effect and superelasticity", K. Otsuka et al., Cambridge University Press, pgs 27-48, 1998							
The Physical Metallurgy of Titanium Alloys, E.W. Collings, Battelle Memorial Institute, Columbus, OH, AMERICAN SOCIETY FOR MATERIALS (ASM), pgs 100-110, 1984							
Proceedings International Conference on Shape Memory and Superelastic Technologies (SMST-2003), Pacific Grove, California (2003), "Pseudoelastic Beta Ti-Mo-V-Nb-Al Alloys", M.H. Wu, et al., 8 pgs, 2003							
Proceedings 10 th World Conference on Titanium (Ti-2003), Hamburg, Germany (2003), "Phase Transformations and Mechanical Response in a Ti/Mo-Based Pseudo-Elastic Alloy", T. Zhou et al., pgs 1-8							
"Mechanical Properties and Microstructures of Pseudoelastic Beta Ti-Mo-V-Nb- Alloys", M.H. Wu et al., 8 pgs, 2003							
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			Filing Date 01/08/2004		Group 1742	
U.S. PATENT DOCUMENTS						
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,261,940	11/16/93	Berczik	75	236	05/08/89
	5,264,055	11/23/93	Champin et al.	148	671	05/14/92
	5,294,267	03/15/94	Bania et al.	148	421	12/04/92
	5,304,263	04/19/94	Champin et al.	148	671	06/30/93
	5,312,247	05/17/94	Sachdeva et al.	433	7	05/21/92
	5,342,458	08/30/94	Adams et al.	148	670	03/18/93
	5,397,404	03/14/95	Hansen et al.	148	669	12/23/92
	5,399,212	03/21/95	Chakrabarti et al.	148	421	04/23/92
	5,415,704	05/16/95	Davidson	148	316	09/13/93
	5,423,881	06/13/95	Breyen et al.	607	122	03/14/94
	5,466,242	11/14/95	Mori	606	198	02/02/94
	5,486,242	01/23/96	Naka et al.	148	422	05/15/95
	5,573,401	11/12/96	Davidson et al.	433	201.1	06/16/94
	5,573,604	11/12/96	Gerdas	148	237	06/28/95
	5,580,403	12/03/96	Mazur et al.	148	407	02/09/95
	5,630,890	05/20/97	Smashey et al.	148	669	01/30/95
	5,653,689	08/05/97	Buelna et al.	604	96	09/30/95
	5,658,403	08/19/97	Kimura	148	671	03/31/95
	5,679,183	10/21/97	Takagi et al.	148	671	11/29/95
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PTO-1449			Attorney's Docket Number MEM-0003-P		Serial Number 10/735,085	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT LIST OF ITEMS (Use several sheets if necessary)			Name of Applicant Ming Wu			
			Filing Date 01/08/2004		Group 1742	
U.S. PATENT DOCUMENTS						
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,698,050	12/16/97	El-Soudani	148	671	11/15/94
	5,709,021	01/20/98	DiCello et al.	29	423	05/11/94
	5,718,779	02/17/98	Fukai et al.	148	670	11/13/96
	5,753,053	05/19/98	Smashy et al.	148	421	03/25/97
	5,776,617	07/07/98	Brady et al.	428	632	10/21/96
	5,792,289	08/11/98	Morton et al.	148	421	10/04/94
	5,795,413	08/18/98	Gorman	148	671	12/24/96
	5,807,189	09/15/98	Martin et al.	473	342	12/07/95
	5,807,190	09/15/98	Krumme et al.	473	342	12/05/96
	5,830,179	11/03/98	Mikus et al.	604	49	04/09/96
	5,888,201	03/30/99	Stinson et al.	623	1	06/13/97
	5,947,723	09/07/99	Mottate et al.	433	8	04/28/93
	5,954,724	09/21/99	Davidson	606	76	03/27/97
	5,980,655	11/09/99	Kosaka	148	421	04/09/98
	6,053,992	04/25/00	Wu et al.	148	402	09/30/97
	6,053,993	04/25/00	Reichman et al.	148	421	04/17/98
	6,095,809	08/01/00	Kelly et al.	433	20	09/09/98
	6,110,302	08/29/00	Gorman	148	407	03/23/98
	6,116,733	09/12/00	Krumme et al.	351	114	06/05/97
	6,127,044	10/03/00	Yamamoto et al.	428	603	09/13/95
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U.S. PATENT DOCUMENTS						
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	6,132,209	10/17/00	Devanathan	433	20	04/13/99
	6,139,141	10/31/00	Zider	351	57	05/20/99
	6,149,051	11/21/00	Vollmer et al.	228	262.72	07/21/98
	6,164,775	12/26/00	Zider et al.	351	86	04/09/99
	US 6,200,133 B1	03/13/01	Kittelsen	433	6	03/08/99
	US 6,200,685 B1	03/13/01	Davidson	428	472.1	02/02/99
	US 6,238,491 B1	05/29/01	Davidson et al.	148	237	05/05/99
	US 6,250,755 B1	06/26/01	Conner et al.	351	110	10/01/99
	US 6,268,182 B1	07/10/01	Schetky et al.	148	402	03/05/99
	US 6,284,070 B1	09/04/01	Gorman et al.	148	668	08/27/99
	US 6,336,250 B1	01/08/02	Takeda et al.	16	228	11/10/99
	US 6,409,792 B1	06/25/02	Schutz et al.	75	10.18	11/06/00
	US 6,419,358 B1	07/16/02	Schetky et al.	351	114	11/24/99
	US 6,454,882 B1	09/24/02	Martin	148	421	01/16/01
	US 6,458,145 B1	10/01/02	Ravenscroft et al.	606	200	11/28/00
	US 6,491,592 B2	12/10/02	Cackett et al.	473	342	07/16/01
	US 6,527,938 B2	03/04/03	Bales et al.	205	229	06/21/01
	US 6,543,273 B1	04/08/03	Wells et al.	73	12.01	08/11/00
	US 6,582,226 B2	06/24/03	Jordan et al.	433	10	05/03/01
	US 6,589,371 B1	07/08/03	Kaibyshev et al.	148	504	04/23/99
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	US 6,605,110 B2	08/12/03	Harrison	623	1.15	06/29/01
	US 6,606,513 B2	08/12/03	Lardo et al.	600	411	02/01/01
	US 2001/0054500 A1	12/27/01	Raybould et al.	165	166	06/05/01
	US 2002/0108682 A1	08/15/02	Li et al.	148	407	10/26/99
	US 2002/0174922 A1	11/28/02	Ishii et al.	148	671	04/11/02
	US 2002/0179197 A1	12/05/02	Lin et al.	148	421	06/26/02
	US 2002/0198601 A1	12/26/02	Bales et al.	623	23.55	06/21/01
	US 2003/0005987 A1	01/09/03	Ozbaysal	148	670	07/06/01
	US 2003/0009095 A1	01/09/03	Skarda	600	374	05/21/02
	US 2003/0032851 A1	02/13/03	Apple et al.	600	3	07/12/02
	US 2003/0108659 A1	06/12/03	Bales et al.	427	2.24	01/14/03
	US 2003/0120330 A1	06/26/03	Ouriel et al.	623	1.12	12/20/01
	US 2003/0124480 A1	07/03/03	Peacock, III	433	23	09/23/02
	US 2003/0168138 A1	09/11/03	Marquardt	148	671	06/07/02
	US 2003/0188810 A1	09.10.2003	Tanaka et al.	148	563	03/25/2003
OTHER INFORMATION (including author, title, date, pertinent)						
International Search Report for Application number PCT/US03/20081, mailed 12/12/2003						
International Search Report for Application number PCT/US03/20077, mailed 11/28/2003						
Patent Abstracts of Japan; JP 356000241 A, Published 01/06/2001						
Patent Abstracts of Japan; JP 58161753 A, Published 03/18/1982						
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